

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-5 are pending in the application, with 1-5 being the independent claims. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Examiner Interview

Applicants thank the Examiner for the telephonic interview on March 10, 2006, which occurred between the Examiner and Applicants' representative, Michelle Holoubek, Reg. No. 54,179. During the interview, amendments to claims 1-5 were discussed which would overcome the Examiner's concerns regarding clarity. An agreement was reached, and the claims have been amended for clarity as discussed during the interview.

Rejections under 35 U.S.C. § 112

Claims 1-5 stand rejected under 35 U.S.C. 112, first paragraph as allegedly failing to comply with the written description and enablement requirements. Specifically, the Examiner states that the specification fails to disclose structure defined by the term "separate electric potential."

Although the specific term "separate electric potential" was not included in the original specification, Applicants submit that structural support for a separate electric potential is fully described in the specification. For example, page 10, line 23 through page 11, line 6, describes an electrode pair 119 of surface electrodes 40. Each of electrode 89 and 115 of surface electrodes 40 are placed opposite each other on the body surface with the heart 16 in between them. The induced field (i.e., the separate electric potential) is sensed by passive electrodes 48.

Similarly, page 19 of the specification, lines 14-21, describes electrodes 89 and 115 which are opposite one another on the body with the heart directly in between them. This section of the specification further describes that a signal (i.e., the separate electric potential) is generated across the electrode 89 and electrode 115, which is measured by passive electrodes 48. Electrodes 89 and 115, for example, thus create an electric potential external to the heart that is separate from an electrode inside the heart. To make this even more clear, Applicants have amended these two sections of the specification to incorporate the exact phrase "separate electric potential." As the structure was already present in the specification, Applicants submit that the addition of this specific term does not comprise new matter. Reconsideration and withdrawal of the rejections of claims 1-5 are respectfully requested.

Claims 1-5 also stand rejected under 35 U.S.C. 112, second paragraph, as allegedly being indefinite. Specifically, the Examiner stated that it is unclear as to what structure is defined by the term "separate electric potential." Applicants respectfully submit that the amendments to the specification discussed above clarifies the term "separate electric potential" such that this term as used in the claims is no longer

indefinite. Reconsideration and withdrawal of the rejections of claims 1-5 are respectfully requested.

Objections to the Claims

Claims 1-5 stand objected to based on various informalities. Applicants have amended the claims as discussed via telephone with the Examiner on March 10, 2006, in order to make the claims even more clear. Reconsideration and withdrawal of the rejections of claims 1-5 is respectfully requested.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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